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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION

10 UNITED STATES OF AMERICA,)	No. CR-10-00237 SBA
)	
11 Plaintiff,)	STIPULATED REQUEST TO CONTINUE
)	HEARING DATE TO NOVEMBER 9,
12 v.)	2010 AND TO EXCLUDE TIME UNDER
)	THE SPEEDY TRIAL ACT AND ORDER
13)	
14 JESSIE JAMES REDONDO,)	
)	Hearing Date: September 21, 2010
15 Defendant.)	Time: 9:00 a.m.
)	
)	
)	

16
17 The above-captioned matter is set on September 21, 2010 before this Court for a status
18 hearing. The parties jointly request that the Court continue the matter to November 9, 2010 at
19 9:00 a.m., and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. §§
20 3161(h)(7)(A) and (B)(iv), between September 21, 2010 and November 9, 2010.

21 On April 1, 2010, the Grand Jury charged Mr. Redondo with possession with intent to
22 distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1), possession of a firearm in
23 furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c), and as a felon in
24 possession of a firearm, in violation of 18 U.S.C. § 922(g). He is subject to a mandatory
25 minimum sentence of 10 years, and a statutory maximum of life imprisonment. He also faces a
26 mandatory consecutive sentence of five years for the Section 924(c) offense.

Stip. Req. To Continue Hearing Date and to
Exclude Time, No. CR-10-00237 SBA

1 The current status of the case is that the parties are negotiating this matter and anticipate
 2 that there will be a negotiated disposition of the case. In the meantime, the government has
 3 produced discovery to the defense and defense counsel needs additional time to review and
 4 process the discovery provided and to discuss those materials with her client. Additionally, the
 5 government recently produced additional Rule 16 discovery, and the defense needs additional
 6 time to review that discovery, which consists of hours of lengthy recorded jail tapes. The
 7 defense also requires additional time to complete its investigation of the circumstances of the
 8 offense and to collect Mr. Redondo's prior conviction records to prepare an estimate of his
 9 anticipated Guidelines range.

10 The requested continuance will allow the defense to complete its review of the discovery,
 11 to investigate the underlying facts of the case, and to obtain and review records. For this reason,
 12 the parties agree that the failure to grant this continuance would unreasonably deny counsel for
 13 defendant the reasonable time necessary for effective preparation, taking into account the
 14 exercise of due diligence.

15 The parties further stipulate and agree that the ends of justice served by this continuance
 16 outweigh the best interest of the public and the defendant in a speedy trial. Accordingly, the
 17 parties agree that the period of time from September 21, 2010 to November 9, 2010, should be
 18 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A)
 19 and (B)(iv), for effective preparation of defense counsel, taking into account the exercise of due
 20 diligence.

21 DATED: September 15, 2010

 /S/
 WADE RHYNE
 Assistant United States Attorney

23 DATED: September 15, 2010

 /S/
 ANGELA M. HANSEN
 Assistant Federal Public Defender

25 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)
 26 within this e-filed document.

 /S/ ANGELA M. HANSEN

ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby
FINDS:

1. Given that the government has produced discovery in this case and that defense counsel needs time to complete its review the discovery and to discuss the discovery materials with her client;

2. Given that the government has recently produced Rule 16 discovery, and that the defense needs additional time to review that discovery, which consists of hours of lengthy recorded jail tapes;


3. Given that the defense needs additional time to continue to investigate the underlying facts of the case and to obtain records to calculate defendant's sentencing Guidelines range;

4. Given that these above-listed tasks are necessary to the defense preparation of the case and that the failure to grant the requested continuance would unreasonably deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;

5. Given that the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial;

Based on these findings, IT IS HEREBY ORDERED that the STATUS date of September 21, 2010 scheduled at 9:00 a.m., before the Honorable Saundra Brown Armstrong, is vacated and reset for November 9, 2010 at 9:00 a.m. It is FURTHER ORDERED that time is excluded pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), from September 21, 2010 to November 9, 2010.

DATED:9/20/10


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge